

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Stevie Wallace,)
vs. Plaintiff,) Case No. 10 CV 7786
City of Chicago and Unknown Officers,)
Defendants.)

NOTICE OF REMOVAL

Defendant City of Chicago, by one of its attorneys, Liza M. Franklin, Deputy Corporation Counsel of the City of Chicago, respectfully remove the above entitled action to this Court, pursuant to 28 U.S.C. §1441(b) and (c), §1446, and on the following grounds:

1. Defendant City of Chicago was named as a defendant in a civil action filed on November 29, 2010, in the Circuit Court of Cook County of the State of Illinois, case number 2010 L 013533, entitled Stevie Wallace v. City of Chicago and Unknown Officers.
2. The summons and complaint were served upon the City of Chicago's Office of the City Clerk on or about December 2, 2010. See summons and complaint attached hereto as Exhibit A.
3. Plaintiff brings this action pursuant to 42 U.S.C. § 1983 and Illinois common law. In Count I, Plaintiff alleges that the defendants violated the Fourth Amendment of the U.S. Constitution. The remaining counts allege that defendants battered the plaintiff in violation of his rights under Illinois law.
4. Defendants are entitled to remove this action to this court, pursuant to 28 U.S.C. §1441(b) and (c).

5. It appears from the face of plaintiff's complaint that this is, primarily, a civil rights action which arises under the United States Constitution and involves federal questions. Plaintiff's complaint alleges, among other things, that the defendants violated the rights of the plaintiff as guaranteed by the United States Constitution.

WHEREFORE, defendant City of Chicago respectfully requests that the above-entitled action now pending in the Circuit Court of Cook County in the State of Illinois, case number 2010 L 013533, be removed therefrom to this Court.

Respectfully submitted,

/s/ Liza M. Franklin
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Deputy Corporation Counsel

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